

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JENNIFER MILES, )  
                    )  
Plaintiff,       )  
                    )  
vs.               )     Case No. 4:06CV00110MLM  
                    )  
BELLFONTAINE HABILITATION )  
CENTER,           )  
                    )  
Defendant.       )

**ORDER**

On April 11, 2006 the Honorable Stephen N. Limbaugh dismissed this action for the reasons stated in defendant's Motion to Dismiss. [Doc. 16] However, unbeknownst to Judge Limbaugh and this court, plaintiff and defendant filed their consent to jurisdiction by United States Magistrate Judge on April 6, 2006 and plaintiff filed the court ordered Response to defendant's Motion to Dismiss on April 7, 2006. These documents were not docketed by the Clerk's Office as of the date of Judge Limbaugh's Order of Dismissal. Therefore, the court will vacate Judge Limbaugh's dismissal and this case will proceed in the usual manner.

Accordingly,

**IT IS HEREBY ORDERED** that the Order of Dismissal of this case is VACATED and this case shall be RE-OPENED forthwith. [Doc.16]

**IT IS FURTHER ORDERED** that defendant shall have until April 21, 2006 to Reply to plaintiff's Response to Defendant's Motion to Dismiss.

/s/Mary Ann L. Medler  
MARY ANN L. MEDLER  
UNITED STATES MAGISTRATE JUDGE

Dated this 13th day of April, 2006.

